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UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

EPIC GAMES, INC.,

Plaintiff, Counter-
 defendant

v.

APPLE INC.,

Defendant,
 Counterclaimant.

Case No. 4:20-cv-05640-YGR-TSH

**DEFENDANT APPLE INC.'S FINAL
 PROPOSED FINDINGS OF FACT AND
 CONCLUSIONS OF LAW**

1 The parties submitted their initial proposed findings of fact and conclusions of law on April 7,
 2 2021, before trial began. Dkt. 407 (Epic); Dkt. 410 (Apple). The Court then heard 15 days of trial
 3 testimony between May 3 and May 21 (Trial Tr. 87:15–4027:16), received more than 10 hours of
 4 deposition designations (Dkts. 492, 495), and admitted more than 800 exhibits both in open court and
 5 on stipulation (*see* Dkt. 751). The parties also filed written direct testimony from their respective
 6 experts. Dkts. 490, 508. And on May 24, 2021, the Court presided over a hearing at which counsel
 7 for each party responded to the Court’s questions. Trial Tr. 4061:8–4191:22.

8 At the close of evidence, the Court directed the parties to file final versions of their proposed
 9 findings of fact and conclusions of law by May 28, 2021. As of the date of this submission, the Court
 10 has not ruled on four pending motions that could affect the matters set forth below. *See* Dkt. 602
 11 (Apple’s Motion for an Adverse Credibility Finding); Dkt. 657 (Apple’s Motion to Strike Written and
 12 Oral Testimony of Dr. Michael I. Cragg Regarding Foreign Regulatory Submissions of a Non-Party);
 13 Dkt. 708 (Apple’s Motion for Judgment on Partial Findings); Dkt. 721 (Apple’s Motion to Strike Dr.
 14 Susan Athey’s Written and Oral Expert Testimony).

15 Accordingly, Apple Inc. respectfully submits its final proposed findings of fact and conclusions
 16 of law.

17
 18 DATED: May 28, 2021

By /s/ Mark A. Perry
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